

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	
	§	
HIGH PLAINS RADIO NETWORK, LLC,	§	CASE NO. 24-70089
	§	Chapter 11, SubV
	§	
DEBTOR.	§	

**SECOND MOTION OF DEBTOR TO EXTEND TIME FOR FILING
CERTAIN LISTS, SCHEDULES, AND STATEMENTS PURSUANT TO
BANKRUPTCY RULE 1007**

TO THE HONORABLE SCOTT W. EVERETT, U.S. BANKRUPTCY JUDGE:

High Plains Radio Network, LLC, debtor and debtor in possession (“HPRN” or the “Debtor”) files this *Motion of Debtor to Extend Time for Filing Certain Lists, Schedules, and Statements Pursuant to Bankruptcy Rule 1007* and in support thereof would show to the Court the following.

INTRODUCTION

1. This motion seeks authorization for the Debtor to file schedules, equity security holders list, and the statement of financial affairs on Monday, **April 29, 2024**.
2. The meeting of creditors is set for May 3, 2024.
3. Debtor has conferred with the U.S. Trustee, and the extension to April 29, 2024 is not opposed.

JURISDICTION AND VENUE

4. The Court has jurisdiction over this action pursuant to, and without limitation §§°105, and 1101 et seq. of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. (the “Code”).
5. Venue action is proper in this Court pursuant to 28 U.S.C. § 1409.

6. The Court may try this action to a conclusion and enter final orders under *Stern v. Marshall*, 131 S. Ct. 2594 (U.S. 2011).

FACTUAL BACKGROUND

The identity and background of the Debtor and Debtor in Possession.

7. HPRN owns and operates a chain of rural AM and FM radio stations in parts of Texas, Oklahoma, and Arkansas.

The Commencement of the Bankruptcy Cases.

8. On March 26, 2024, HPRN commenced the above-captioned Chapter 11 case by filing a voluntary petition.

9. HPRN commenced this case primarily as a result of ongoing difficulties with various tower leases and challenges in the rapidly evolving radio industry.

Factual background in support of the relief requested, and basis of relief.

10. The meeting of creditors has been set for May 3, 2024.

11. Debtor seeks an extension of time to file its schedules and other initial pleadings to **April 26, 2024**.

12. Bankruptcy Rules 1007(a)(5) and (c) authorizes the Court to grant an extension of the date by which the lists and the schedules and statements of the Debtor must be filed pursuant to Bankruptcy Rule 1007, “on motion for cause shown.”

13. Cause exists for an extension due to the following circumstances including the following circumstances.

- a. The Debtor retained the undersigned to file this case on March 26, 2024, and thus very little time was available to prepare schedules pre-petition or since the Petition Date.
- b. The Debtor has a substantial amount of equipment to identify and list. The equipment UCC-1s (see Exhibits H001, H004) show only some of the equipment to consider.

- c. Debtor has worked on the schedules and worked on initiation of the sales process since the “first day” hearings on April 4, 2024. Debtor is working with the proposed broker to gather information for the data room. Debtor anticipates filing the motion to employ the broker shortly. The Debtor has also interacted with one or more proposed bidders. The Debtor has also been in close contact with Vertical Bridge.
- d. Much of the information for the data room also is necessary and can be used for the schedules.
- e. Additional time to get to and utilize the weekend of April 27-28, 2024 to work on the schedules also is necessary. The undersigned has been embroiled as landlord counsel in a nursing home case that has consumed the last 10-14 days after CMS withdrew Medicaid and/or Medicaid certification at one of four facilities, just as the facilities were about to transition to a new operator, thus resulting in a sudden and unexpected drain of resources to deal with a host of issues across the four facilities.¹

14. If the extension is granted, the schedules and related items still will be filed well in advance of the Code §341 meeting of creditors.

15. Courts routinely have granted similar relief in other cases. Accordingly, the Debtor's request for an extension of time to file the schedules and related items is appropriate and warranted under the circumstances.

16. Notice of this Motion has been provided to the Office of the United States Trustee and all creditors identified to date.

RELIEF REQUESTED

17. Accordingly, pursuant to Rule 1007, HPRN respectfully requests an extension through and until **April 29, 2024** of the time to permitted to file its schedules, list of equity security holders, and statement of financial affairs, and any other items required by Rule 1007.

¹ See *In re Remarkable Healthcare of Carrollton LP, et al.*, TXEB Case No. 24-40605, *KRS Fort Worth, LLC v. United States Department of Health & Human Service*, TXEB Adv. No. 24-04021; *KRS Properties, LLC et al v. Centers for Medicare & Medicaid Services*, TXND Case. No. 4:24-cv-00337-O.

CONCLUSION AND PRAYER

WHEREFORE, HPRN Resources, LLC, the debtor and debtor-in-possession, respectfully requests that the Court enter an order (i) extending through and until **April 29, 2024** the time permitted to file its schedules, list of equity security holders, and statement of financial affairs, and any other items required by Rule 1007; and (ii) granting such other and further relief to which the Debtor may be entitled at law or in equity.

Dated: April 24, 2024

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth
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PROPOSED ATTORNEYS FOR
HIGH PLAINS RADIO NETWORK, LLC
DEBTOR AND DEBTOR IN POSSESSION

CERTIFICATE OF CONFERENCE

The undersigned conferred with Ms. Schmidt of the UST on April 24, 2024. The extension to April 29, 2024 is not opposed.

/s/ Jeff Carruth
JEFF CARRUTH

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on April 24, 2024 by electronic notice to all ECF users who have appeared in this case to date, as set forth below.

/s/ Jeff Carruth
JEFF CARRUTH

ECF SERVICE LIST

24-70089-swe11 Notice will be electronically mailed to:

Jeffery D. Carruth on behalf of Debtor High Plains Radio Network, LLC

jcarruth@wkpz.com,

jcarruth@aol.com; atty_carruth@trustesolutions.com; carruthjr87698@notify.bestcase.com; ATTY_CARRUTH@bluestylus.com

Paul H. Cross on behalf of Creditor Hanmi Bank

phclease@msn.com

Shanna M. Kaminski on behalf of Interested Party Union Funding Source, Inc.

skaminski@kaminskilawpllc.com

Sherrel K. Knighton on behalf of Creditor Malakoff ISD

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Julie Anne Parsons on behalf of Creditor Eastland County Appraisal District

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Julie Anne Parsons on behalf of Creditor The County of Henderson, Texas

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Julie Anne Parsons on behalf of Creditor The County of Stephens, Texas

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Scott M. Seidel -SBRA V

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Dawn Whalen Theiss on behalf of Creditor Small Business Administration

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United States Trustee

ustregion06.da.ecf@usdoj.gov

David Weitman on behalf of Creditor Vertical Bridge REIT, LLC

david.weitman@klgates.com

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PROPOSED ORDER

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§	
HIGH PLAINS RADIO NETWORK, LLC,	§	CASE NO. 24-70089-swe
	§	Chapter 11, SubV
DEBTOR.	§	

**ORDER GRANTING SECOND MOTION OF DEBTOR TO EXTEND
TIME FOR FILING CERTAIN LISTS, SCHEDULES, AND
STATEMENTS PURSUANT TO BANKRUPTCY RULE 1007 (RE:
DOCKET NO. 56)**

On this day came on for consideration the *Second Motion of Debtor to Extend Time for Filing Certain Lists, Schedules, and Statements Pursuant to Bankruptcy Rule 1007* (Docket No. 56) (the “Motion”) filed herein on April 24, 2024 by High Plains Radio Network, LLC, debtor and debtor in possession (“HPRN” or the “Debtor”). The Court finds and concludes that upon review of the record of this case that sufficient notice was provided in accordance with the Federal Rules of Bankruptcy Procedures and/or the Local Bankruptcy Rules and with respect to the Motion that cause exists to grant the relief requested therein.

IT IS THEREFORE ORDERED THAT the deadline under Fed. R. Bankr. P. 1007 for the Debtor to file the schedules, statement of financial affairs, and other remaining lists due under Rule 1007 is extended to **APRIL 29, 2024.**

END OF ORDER